



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Horner
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Donald R. Banowitz
Peter A. Jackman
Jeffrey S. Weaver
Brian J. Del Buono
Edward W. Yee
Vincent L. Capuano
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Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Rae Lynn P. Guest
Daniel A. Klein

Jason D. Eisenberg
Michael D. Specht
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Laura A. Vogel
Bryan S. Wade
Bashir M.S. Ali
Shannon A. Carroll
Matthew E. Kelley
Michelle K. Holoubek
Marsha A. Rose

Christopher J. Walsh
W. Blake Coblenz
James J. Pohl*
Young Tang
John T. Haran*
Mark W. Rygiel

Registered Patent Agents*
Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse

Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie

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April 26, 2007

WRITER'S DIRECT NUMBER:
(202) 772-8861
INTERNET ADDRESS:
CBOUCHEZ@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1615

Re: U.S. Utility Patent Application
Application No. 10/563,643; § 371 Date: June 8, 2006
For: **Pesticidal Substituted 1, 2, 5-Thiadiazole Derivatives**
Inventors: Dungan *et al.*
Our Ref: 2400.1110002/VLC/CMB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Power of Attorney;
2. Statement Under 37 C.F.R. § 3.73(b) with a copy of Assignment attached. The Assignment document is concurrently being submitted for recordation pursuant § 3.11; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

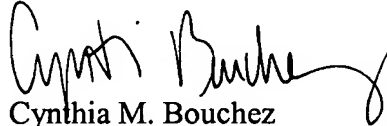
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 26, 2007
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez
Attorney for Applicants
Registration No. 47,438

VLC/CMB:krh
Enclosures

669288_1.DOC



PTO/SB/80 (01-06)
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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

26111

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

| Name | Registration Number | Name | Registration Number |
|------|---------------------|------|---------------------|
| | | | |
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as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

26111

OR

| | | | |
|--|-------|-----|--|
| <input type="checkbox"/> Firm or Individual Name | | | |
| Address | | | |
| City | State | Zip | |
| Country | | | |
| Telephone | Email | | |

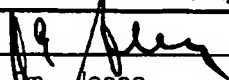
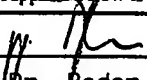
Assignee Name and Address:

Bayer CropScience AG, Alfred-Nobel-Str. 50, D-40789 Monheim, Germany

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

| | | | | |
|-----------|---|---|-----------|--------------|
| Signature |  |  | Date | 31. Mai 2006 |
| Name | Dr. Jesse | Dr. Bader | Telephone | |
| Title | Secretary | Secretary | | |

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



STATEMENT UNDER 37 CFR 3.73(b)

2400.1110002/VLC/CMB

Applicant/Patent Owner: Dungan et al.

Application No./Patent No.: 10/563,643 Filed/Issue Date: June 8, 2006

Entitled: Pesiticial Substituted 1, 2, 5-Thiadiazole Derivatives

Bayer CropScience AG, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Dungan et al. To: FMC Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel 017778, Frame 0620, or for which a copy thereof is attached.
2. From: FMC Corporation To: Bayer CropScience AG
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Cynthia Bouchez
Signature

Cynthia Bouchez
Printed or Typed Name

Patent Attorney, Reg. No. 47,438
Title

April 26, 2007
Date

702 371 2600
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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NOT FOR RECORDATION

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment") is made and entered into as of June 21, 2006 ("Effective Date") by and between FMC Corporation, a Delaware corporation, with its principal office at 1735 Market Street, Philadelphia, Pennsylvania 19103 ("Assignor"), and Bayer CropScience AG, a German corporation, with its principal office at Alfred-Nobel-Strasse 50, Monheim, Germany 40789 ("Assignee").

WHEREAS, Assignor and Assignee are parties to that certain Asset Purchase and Sale Agreement dated as of June 16, 2006 (the "Purchase Agreement"); and

WHEREAS, pursuant to the Purchase Agreement, Assignor wishes to assign to Assignee, and Assignee wishes to acquire from Assignor, the patents and patent applications identified and set forth on Schedule A attached hereto (collectively, the "Patents")

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns, transfers and sets over to Assignee, the entire right, title and interest in and to the Patent(s) for the United States and for all foreign countries, including any continuations, divisions, continuations-in-part, reissues, reexaminations, extensions or foreign equivalents thereof, and including the subject matter of all claims which may be obtained therefrom for its own use and enjoyment, and for the use and enjoyment of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made.

Assignor authorizes and requests the Commissioner of Patents and Trademarks in the United States, and the corresponding entities or agencies in any applicable foreign countries, to record Assignee as owner of the Patents, including any continuations, divisions, continuations-in-part, reissues, reexaminations or extensions thereof and to issue any and all letters patent of the United States or any applicable foreign country thereon to Assignee, as assignee of the entire right, title and interest in, to and under the same, for the sole use and enjoyment of Assignee, its successors, assigns or other legal representatives.

Assignor agrees to execute and deliver to Assignee any further documents prepared by Assignee which are required to record the assignment of the Patents to Assignee in the United States or any other country.

* * * * *

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IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment to be executed by their duly authorized representatives as of the Effective Date.

ASSIGNOR:

FMC CORPORATION

By: Thomas Merriam

Name: Thomas Merriam

Title: Director, Technology Acquisition

ASSIGNEE:

BAYER CROPSCIENCE AG

By: Dr. Gerhard Manthey

Name: Dr. Gerhard Manthey

Title: General Counsel

BAYER CROPSCIENCE AG

By: Dr. Alexander Klau

Name: Dr. Alexander Klau

Title: Head of Research

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SCHEDULE A

PATENTS AND PATENT APPLICATIONS

| <u>FMC Docket No.</u> | <u>Subject Matter</u> |
|------------------------------|------------------------------|
| 54851 | NBP (Old BZP) |
| 54852 | NBP (Old BZP) |
| 54867 | NBP (Old BZP) |
| 60062 | NBP (Old BZP) |
| 60118 | NBP (Old BZP) |
| 60238 | PSL 066 |
| 60279 | Other -- PSL 070 |
| 60288 | Serotonin |
| 60295 | NBP |
| 60313 | DHPP |
| 60322 | Muscarinic |
| 60329 | NBP |
| 60332 | PMD |
| 60355 | Serotonin |
| 60374 | DHPP |
| 60383 | Serotonin |
| 60389 | NBP |
| 60390 | NBP |
| 60400 | DHPP |

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60405

PMD

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| <u>FMC Docket No.</u> | <u>Subject Matter</u> |
|-----------------------|-----------------------|
| 60410 | DHPP |
| 60411 | DHPP |
| 60412 | DHPP |
| 60413 | PSL 066 |
| 60416 | NBP |
| 60429 | Other - PSL 070 |
| 60432 | Other - PSL 070 |
| 60435 | DHPP |
| 60439 | DHPP |
| 60448 | DHPP |
| 60449 | DHPP |
| 60450 | DHPP |
| 60452 | Other - TSL 007 |
| 60479 | PSL 070 |
| 60483 | PMD |
| 60551 | SRT 018 |

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| Disclosure Number | Title | |
|----------------------|---|------------------------------------|
| 60398 | Insecticidal N-Anilinocarbonyldihydroimidazolinthiones (formerly ISL 112) | PSL066 |
| 60451 | Long Chain Alcohol for Pesticides | Formulation for NBP |
| 60460 | Cycloalkoxyalkoxybenzylbenzhydropiperidines as Insecticides | NBP |
| 60474 | New Insecticidal Oximino Benzhydropiperidines | NBP |
| 60488 | Insecticidal (4,4-Disubstituted-2-Thioxoimidazolidineyl)-N-(Substituted-Phenyl) Carboxamide Derivatives | ISL 112 (pre-Co- research info) |
| 60503 | Substituted Amidine Thiourea Derivatives as Pesticides | PMD006 |
| 60504 | Substituted Acyl Amidine Derivatives as Pesticides | PMD006 |
| 60510 | Insecticidal N-(Heteroarylalhyl)Diamine | PMD |
| 60531 | Biaryl or Arylheteroaryl Anthranilamide Insecticides | PSL087 |
| 60534 | Dihydroquinazolinones as Insecticides | PSL087 |
| 60550 | Substituted N-Cyanomethyl Amino Prazole Insecticide | Pro-insecticide of Fipronil |
| 60557 | 5-Phospho Substituted Analogs of Fipronil | TSL007 |
| 60558 | Fipronil Dimers | TSL007 |